



02-20-03

CPA/1600

Atty. Docket No.: 2312/2042

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Vikas P. Sukhatme  
U.S. Serial No.: 09/589,777  
Filed: June 8, 2000  
Entitled: ANTI-ANGIOGENIC  
PEPTIDES AND METHODS  
OF USE THEREOF

Examiner: N.A. Davis  
Group Art Unit: 1642  
Conf. No. 1530

TECH CENTER 1600/2900

FEB 25 2003

RECEIVED

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL932826097US** on this date, **February 19, 2003**, postage prepaid, in an envelope addressed to Box: CPA, Commissioner for Patents, Washington, D.C. 20231.

Brenda M. Woods

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: CPA  
Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Enclosed for filing the above-identified patent application, please find the following documents:

1. Continued Prosecution Application (CPA) (37 C.F.R. §1.53(d));
2. Check in the amount of \$375.00 for the requisite fees; and
3. Postcard.

Pursuant to 37 C.F.R. §1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference 2312/2042. A duplicate of this transmittal letter is enclosed for accounting purposes.

Respectfully submitted,

Date: February 19, 2003

Name: Joyce C. Hersh  
Registration No.: 42,890  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



Atty. Docket No.: 2312/2042

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Vikas P. Sukhatme  
U.S. Serial No.: 09/589,777  
Filed: June 8, 2000  
Entitled: ANTI-ANGIOGENIC  
PEPTIDES AND METHODS  
OF USE THEREOF

Examiner: N.A. Davis  
Group Art Unit: 1642  
Conf. No. 1530

TECH CENTER 1600/2900

FEB 25 2003

RECEIVED

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL932826097US** on this date, **February 19, 2003**, postage prepaid, in an envelope addressed to Box: CPA, Commissioner for Patents, Washington, D.C. 20231.

Brenda M. Woods

Name of Person Mailing Paper

*Brenda M. Woods*

Signature of Person Mailing Paper

Box: CPA  
Commissioner for Patents  
Washington, D.C. 20231

**CONTINUED PROSECUTION APPLICATION (CPA)**  
(37 C.F.R. Section 1.53(d))

1. This is a request for a filing of a continued prosecution application under 37 C.F.R. Section 1.53(d) of the above-identified prior nonprovisional application. A Petition to Revive and related papers and fees, and a Notice of Appeal were filed on January 6, 2003, and an Appeal Brief is believed due February 18, 2003. Because of the closure of the Federal agencies in the Washington, D.C. area on February 18, 2003, this paper is believed timely filed on February 19, 2003. The present request for CPA is filed in lieu of an Appeal Brief.

It is also requested that a decision on the Petition to Revive be communicated to the undersigned representative.

It is also requested that the Amendment After Final Rejection Under 37 C.F.R. § 1.116, mailed June 18, 2002, be entered into the application.

It is further requested that this continued prosecution application utilize the file jacket and contents of the prior application, including the specification, drawings and oath or declaration from the prior application, to constitute this new application, and that the application number of the above identified prior application be assigned for identification purposes. 37 C.F.R. Section 1.53(d)(2)(iv).

It is also requested that the above identified prior application be expressly abandoned as of the filing date accorded this continued prosecution application. 37 C.F.R. Section 1.53(d)(2)(v).

2. With respect to the above identified prior nonprovisional application, this continued prosecution application is being filed before "abandonment".

02/21/2003 SSESHE1 00000095 09589777

01 FC:2006

375.00 0P

#  
23  
KO  
4-24-03

3. It is noted that:

- \* This application discloses and claims only subject matter disclosed in the prior application. 37 C.F.R. Section 1.53(d)(2)(ii).
- \* Filing of this continued prosecution application is to be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. Section 122 to the extent that any member of the public, who is entitled under the provisions of Section 1.14 to access to, copies of, or information concerning either the prior application or any continuing application filed under the provisions of 37 C.F.R. Section 1.53(d), may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket. 37 C.F.R. Section 1.53(d)(6).
- \* Filing of this request is the specific reference required by 35 U.S.C. Section 120 to every application assigned the application number identified in this request and that no amendment in this application may delete this specific reference to any prior application. 37 C.F.R. Sections 1.53(d)(7) and 1.78(a)(2).

4. This continued prosecution application names as inventors, the same inventors named in the prior application on the date this continued prosecution application under 37 C.F.R. Section 1.53(d)(2)(iii) is being filed.

5. **Amendment**

It is requested that the Amendment After Final Rejection Under 37 C.F.R. § 1.116, mailed June 18, 2002, be entered into the application.

6. **Fee Calculation**

Regular Application

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$750.00	\$750.00
Total Claims in <b>Excess of 20</b> (37 C.F.R. § 1.16(c))	10	0	\$18.00	\$0.00
Independent Claims in <b>Excess of 3</b> (37 C.F.R. § 1.16(b))	2	0	\$84.00	\$0.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	NO		\$280.00	0
Subtotal - Filing Fee Due				\$750.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)		MULTIPLY BY 0.50		\$375.00
<b>TOTAL FILING FEE DUE</b>				\$375.00
Extension of Time of one-month (small entity)	0		\$0.00	\$0.00
<b>GRAND TOTAL DUE</b>				<b>\$375.00</b>

**7. Extension of Time**

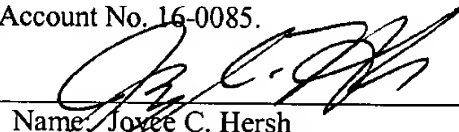
A Notice of Appeal was filed on January 6, 2003. No extension of time is required.

**8. Authorization to Charge Additional Fees**

Because of the closure of the Federal agencies in the Washington, D.C. area on February 18, 2003, this paper is believed timely filed on February 19, 2003. However, the Commissioner is hereby authorized to charge any deficiency of the fees required by this paper to Account No. 16-0085, Reference 2312/2042.

**9. Instructions as to Overpayment:** Credit Account No. 16-0085.

Date: February 19, 2003



\_\_\_\_\_  
Name: Joyce C. Hersh  
Registration No.: 42,890  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100